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7 *Attorneys for Plaintiff, U.S. Bank
National Association, As Trustee for
8 Certificateholders of Bear Stearns Asset
Backed Securities I LLC, Asset-Backed
9 Certificates, Series 2005-AC4*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

US BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR CERTIFICATEHOLDERS
OF BEAR STEARNS ASSET BACKED
SECURITIES I LLC, ASSET-BACKED
CERTIFICATES, SERIES 2005-AC4.

Plaintiff,

vs.

SFR INVESTMENTS POOL 1, LLC, a Nevada limited liability company; MONTAGNE MARRON COMMUNITY ASSOCIATION, a Nevada non-profit corporation.

Defendant.

MONTAGNE MARRON COMMUNITY
ASSOCIATION, a Nevada non-profit
corporation,

Third-Party Plaintiff,

vs.

ALESSI & KOENIG, LLC, a Nevada limited liability company,

Third-Party Defendant.

Case No. 2:15-cv-02062-RFB-CWH

**STIPULATION AND ORDER TO
DISMISS WITH PREJUDICE**

1 SFR INVESTMENTS POOL 1, LLC, a
2 Nevada limited liability company,
3 Counterclaimant,
4 vs.
5 US BANK NATIONAL ASSOCIATION, AS
6 TRUSTEE FOR CERTIFICATEHOLDERS
7 OF BEAR STEARNS ASSET BACKED
8 SECURITIES I LLC, ASSET-BACKED
9 CERTIFICATES, SERIES 2005-AC4, and
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., a
Delaware corporation, as nominee
beneficiary for SILVER STATE
FINANCIAL SERVICES, a dissolved
Nevada corporation,
Counterdefendants.

Pursuant to Local Rules LR IA 6-1 and LR 26-4, Plaintiff/Counter-Defendant U.S. Bank National Association, As Trustee for Certificateholders of Bear Stearns Asset-Backed Securities I LLC, Asset-Backed Certificates, Series 2005-AC4 (“U.S. Bank”), Defendant/Counterclaimant SFR Investment Pools 1, LLC (“SFR”); and Defendant Montagne Marron Community Association (the “Association”) (collectively, the “Parties”) hereby stipulate as follows:

1. This action concerns title to real property commonly known as 10981 Ampus Place in Las Vegas, Nevada (“Property”) following a homeowner’s association foreclosure sale conducted on October 26, 2011, with respect to the Property.

2. As it relates to the Parties, a dispute arose regarding that certain Deed of Trust recorded against the Property in the Official Records of Clark County, Nevada as Instrument Number 20050318-0004447 (“Deed of Trust”), and in particular, whether the Deed of Trust continues to encumber the Property.

3. The Parties to this Stipulation have settled and agreed to release their respective claims, and further agreed that the claims between them, including the

Complaint, Counterclaim, and Third Party Complaint, shall be DISMISSED with prejudice;

4. The Parties further stipulate and agree that the \$500 in security costs posted by the Trustee on February 23, 2016 pursuant to this Court's Order [ECF No. 14] shall be discharged and released to the Ballard Spahr LLP Trust Account;

5. As Mortgage Electronic Registration Systems, as nominee beneficiary for Silver State Financial Services (“MERS”) has neither appeared nor answered in this action, SFR voluntarily dismisses its claims against them pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

5. The Parties further stipulate and agree that the two Lis Pendens recorded against the Property in the Official Records of Clark County, Nevada, as Instruments Number 20131104-0002880, and 20160316-0002742 be, and the same hereby are, EXPUNGED;

6. The Parties further stipulate and agree that a copy of this Stipulation and Order may be recorded with the Clark County Recorder; and

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1 10. Each party in this case number 2:15-cv-02062-RFB-CWH shall bear its
2 own attorneys' fees and costs.

3 Dated: December 10, 2018.
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5 BALLARD SPAHR LLP

KIM GILBERT EBRON

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27 *Attorneys for Montagne Marron
28 Community Association*

29 IT IS SO ORDERED:
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32 RICHARD F. BOULWARE, II
33 UNITED STATES DISTRICT JUDGE

34 DATED this 11th day of December, 2018.
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